

**Translation of the Responses to the
International Preliminary Examination Board**

I). Basis of Report:

I-1)

Description, Pages
1-10, 12-17 same as initial deposit
11 received July 06, 2005
with letter of June 30, 2005

Claims, No.
1-17 received July 06, 2005
with letter of June 30, 2005

Drawings, Sheets
1/3 – 3/3 same as initial deposit

V). Declaration

V-1)

Novelty Yes: claims 4,11,16,17
No: claims 1-3, 5-10, 12-15

Inventiveness Yes: claims 4,16
No: claims 1-3, 5-15,17

Possibility of
Industrial Application Yes: claims 1-17
No:

V-2) see the following pages

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CONCERNING POINT I

Basis of Report

- I-1) use of the term "du genre" "of the type" in claim 1, line no 11
This term was later omitted and this report was established as if the modification had not been made.

CONCERNING POINT V

- I). We refer to the following documentation, and unless specified otherwise to the lines specified in the research report:

D1: WO-A-94 02 207 cited by the demander
D2: WO-A-99 18 397 cited by the demander

I-1) The present demand do not satisfy to the PCT conditions, the objective of independent claims 1 and 6 not being conform to the criterium of novelty as defined by Article 33 (2) PCT. Document D1 disclose on apparatus and a process for the purification of ambient air circulated in the premises. The air is first filtered on a filter (2) in order to eliminate the dust and the particles in suspension. It is then circulated by means of a fan (1) and electro-valves (3) across a chamber containing an electric resistor (g) positioned in between two stacks of metallic screens (7,8). A cyclic timer (11) is used to command these electro-valves in order to direct the airflow alternatively on one side or the other or the chamber, perpendicularly to the screen stacks. By circulating through the metallic screen stacks and with the help of the resistor, the air treated in the apparatus of D1 attains a temperature of about 220°C.

Even if the purpose of the process in D1 is a catalytic purification of the air, it is obvious for the "state of the art" that at a temperature of 220°C a sterilization of the air is also obtained. Consequently no difference exists between the object of claims 1 and 6 and the process known by D1.

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I-2) Dependant claims 2,3,5,7-15 and 17 do not contain additional characteristics that in combination with the object of any one of the claims of which they depend, fills the conditions of PCT as far as novelty and inventiveness are concerned (Article 33 (2) and (3) PCT). In fact all the characteristics mentioned are either disclosed in D1 or considered as routine by the man of the art, as also the disclosures in D2 in particular and in the other documents cited in the research report.

II) Apparent in the description it is obvious that the apparatus of the present demand presents differences when compared to the apparatus as disclosed in D1, i.e. the purge – electro-valves, which allow to recycle the untreated air contained in the distribution chamber and in one of the stacks of screens at the end of each half cycle. This contributes to an increase of the sterilization

efficiency (see p.4, I.32_p.5, I.3_p11,I.3_24 and example 3 [I for line]). These purge electro-valves are absent in Dispositive D1 and its introduction in the dispositive of D1 is not suggested in the state of the technique at our disposal. Consequently, claims 4 and 16 containing these characteristics fulfill the conditions of Article 33(2) and (3) PCT.

III) The object of all the claims may be considered as susceptible of industrial application (Article 33 (A) PCT).

IV) The term "for example" mentioned in claims 1 and 6, identifies the characteristics following it as optional. However, these characteristics are essential for a clear and correct definition of these claims. In fact, no other means to establish the circulation of the art to be treated are disclosed in the demand. Even more, several dependant claims make reference to these characteristics. Consequently, the term "for example" should have been eliminated (Article 6 PCT; see also Directives relatives to PCT, WIPO, Ch. 5, 5.40).

CLAIMS

1. Process for thermal sterilization of the ventilation air of premises requiring a low level of microorganisms contamination, characterized in that the air to be sterilized is moved by forced circulation and to two complementary treatments, i.e.:
- in a first period of time, a preliminary filtration on a filter for solid particles of low efficiency, designed to eliminate part of the dust and suspended particles, and,
 - in a second period of time, a sterilization by circulation of the cleaned airflow across a thermal sterilization box (12) of the type that comprises an electric resistor (7) positioned in between two stacks of metallic cloths (8,9), in a cyclic operation with flows alternatively in opposite directions, perpendicularly to the cloths of the stacks, for example by means of a fan (1) and electro-valves of distribution (3).

2.}

3.} Identical as on pages 18 and 19 of original deposit

4.}

5.}

6. apparatus for thermal sterilization of the ventilation air of premises requiring a low level of microorganisms contamination, comprising:

- a filter (2) for solid particles of low efficiency designed to eliminate part of the dust and suspended particles, and
- a thermal sterilization box (12) equipped with means necessary to establish a circulation of the cleaned airflow across the sterilization box (12) of the type that comprises an electrical resistor (7) positioned in between two stacks of metallic cloths (8,9) and the means necessary to establish this forced circulation across the box comprising a system for cyclic programmed, electro-valves (3) and a circuit allowing to orient the flows, alternatively in opposite directions to one side or the other of the sterilization box, perpendicularly to the cloths of the packs (8,9).

Deleted: programmation

7. through 17 are unchanged from original deposit.

Modification 11, line 5

.....figure 1, zone 5 and 6.....

Replace with

.....figure 1, zones 5 and 8....